

Message Text

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ACTION IO-13

INFO OCT-01 ISO-00 ACDA-07 CIAE-00 INR-07 L-03 NSAE-00
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TO SECSTATE WASHDC PRIORITY 8748

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E.O. 11652: N/A

TAGS: AORG, IAEA, XA, XF, XO

SUBJECT: PROPOSAL TO AMEND ARTICLE VI OF STATUTE: FIRST ROUND
OF INFORMAL CONSULTATIONS

REF: IAEA VIENNA 1534

1. SUMMARY. IN FIRST ROUND OF INFORMAL CONSULTATIONS ON
SUBJECT PROPOSAL MARCH 3, REPS OF 25 BOARD MEMBERS AGREED
(A) TO RESTRICT DISCUSSIONS ON REVISION OF ARTICLE VI TO
SPECIFIC PROPOSAL BROUGHT FORWARD BY CO-SPONSOR OF
GOV/1821, (B) TO REQUEST SECRETARIAT TO PREPARE HISTORICAL
SUMMARY OF ISSUES DEBATED AND CRITERIA INVOLVED IN 1968-70
REVISION NEGOTIATIONS, (C) OPEN FUTURE MEETINGS TO PARTICI-
PATION BY NON-MEMBERS OF BOARD. END SUMMARY.

2. IN ACCORDANCE WITH REQUEST OF BOARD CHAIRMAN CISSE
(SINCE DEPARTED VIENNA), VICE CHAIRMAN MEHTA (INDIA)
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CALLED FIRST MEETING OF "INFORMAL FORUM" MARCH 3.
MEETING, WHICH LASTED 1-1/2 HOURS WAS ATTENDED BY 25
OF THE 34 BOARD MEMBERS (U.S., UK., U.S.S.R., CANADA,
AUSTRALIA, FRANCE, FRG, ITALY, JAPAN, BELGIUM, INDIA,
PAKISTAN, EGYPT, LIBYA, NIGERIA, INDONESIA, ARGENTINA,
BRAZIL, CHILE, COLOMBIA, MEXICO, YUGOSLAVIA, MALAYSIA,
PHILIPPINES, SOUTH AFRICA). DISCUSSION WAS FRANK AND

FRIENDLY AND DISCLOSED SOME WILLINGNESS TO BE FLEXIBLE
ON BOTH SIDES.

3. INITIAL EXCHANGES CONCERNED QUESTION OF WHAT
CRITERIA SHOULD BE USED IN EXAMINING GEOGRAPHIC DISTRI-
BUTION OF BOARD SEATS. US REP (STONE) NOTED THAT
"EQUITABLE DISTRIBUTION" WAS ONLY ONE OF THREE
CRITERIA WITH WHICH BOARD, IN 1968, WAS CHARGED BY
12TH GC IN STUDYING THE QUESTION OF REVISION (GC
(X11)/RES/241) AND THAT LENGTH OF TIME (2 YEARS)
CONSUMED IN DEVELOPING ACCEPTABLE AMENDMENT TESTIFIED
TO SERIOUSNESS WITH WHICH MEMBERS VIEWED REVISION.
CANADIAN REP (HAFFEY) NOTED THAT CRITERIA OTHER THAN
NUMBER OF STATES IN A GIVEN AREA SHOULD BE LOOKED AT,
E.G., INSTALLED NUCLEAR POWER CAPACITY, AREA'S SHARE
OF BG SEATS, AND SHARE OF ASSESSED CONTRIBUTIONS,
INCLUDING T.A., AND SUGGESTED SECRETARIAT BE ASKED
TO PROVIDE RECORDS OF 1968-70 DISCUSSIONS SO THAT
GROUP WOULD BE ABLE TO SEE HOW ISSUE OF CRITERIA
WAS APPROACHED AT THAT TIME. NIGERIAN GOVERNOR
(ADENIJI) NOTED THAT EARLIER TERMS OF REFERENCE GIVEN
TO BOARD NEED NOT BE PRECEDENTS AND, MOREOVER, THAT
1969 BOARD HAD IGNORED CRITERION OF EQUITABLE
GEOGRAPHIC DISTRIBUTION GIVEN TO IT BY GC. PAKISTANI
REP (SATTAR) ENDORSED LATTER POINT AS WELL AS CANADIAN
PROPOSAL FOR SECRETARIAT ASSISTANCE, AND ADDED THAT
CRITERIA INDICATIVE OF A TECHNOLOGICAL ADVANCEMENT WAS
ALREADY COVERED BY PROVISION OF DESIGNATED SEATS, WHICH
WERE NOT ADDRESSED IN PRESENT REVISION PROPOSAL. SOUTH
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AFRICAN GOVERNOR (VON SCHIRNDING) OBSERVED THAT HE HAD
PARTICIPATED IN 1968-70 TALKS AND WOULD CORROBORATE
THAT TECHNOLOGICAL ADVANCEMENT WAS AT THAT TIME CONSIDER-
ED TO HAVE BEEN TAKEN INTO ACCOUNT BY DESIGNATED SEAT
CATEGORY.

4. AUSTRALIAN REP (FURLONGER) AGREED WITH PREVIOUS
SPEAKERS THAT DOCUMENTATION ON 1968-70 DISCUSSIONS WOULD
BE HELPFUL AND SUGGESTED SECRETARIAT PREPARE A SUMMARY
OF RECORDS OF THOSE DISCUSSIONS. OBVIOUSLY, HE ADDED,
SCOPE OF PRESENT DISCUSSION WOULD HAVE TO BE LIMITED
UNLESS PARTICIPANTS WISHED TO OPEN UP YEARS OF
PROTRACTED NEGOTIATIONS. NIGERIAN REP AGREED, BUT OBSERVED
THAT IN PREPARING SUMMARY, SECRETARIAT SHOULD RESTRICT
ITSELF TO FACTUAL ACCOUNT AND NOT OFFER COMMENTS ON
GOV/1821. IF SCOPE OF REVISION SHOULD RANGE BEYOND GOV/1821,
HE SAID, IT WOULD NOT BE AT INITIATIVE OF CO-SPONSORS.

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5. FRG REP (HOFFMANN) IN FIRST OF SEVERAL CURIOUSLY
ILL-CONSIDERED INTERVENTIONS, SAID HIS GOVERNMENT COULD
NOT AGREE AT PRESENT TO REVISION OF ARTICLE VI, BUT
THAT INFORMAL DISCUSSIONS MIGHT INDEED LOOK AT ASPECTS
OTHER THAN THOSE ADDRESSED IN CO-SPONSOR'S PROPOSAL.
U.S. AND JAPANESE REPS QUICKLY REJOINED TO EFFECT THAT
DISCUSSION SHOULD BE LIMITED TO SPECIFIC PROPOSAL IN
GOV/1821 CONCERNING TWO GEOGRAPHIC AREAS, NOTWITHSTANDING
FACT THAT SEVERAL BOARD MEMBERS FROM OTHER AREAS HAD
EXPRESSED INTEREST IN BROADER REVISION. ARGENTINE
REP (ESTRADA) RESERVED HIS POSITION ON THIS POINT
PENDING FURTHER CONSULTATIONS AMONG LA STATES.
MEHTA QUICKLY SAVED SITUATION BY SUGGESTION OF GROUP
CONSENSUS (WITH ARGENTINE RESERVATION NOTED) THAT
FOR TIME BEING GROUP CONFINE ITSELF TO SPECIFIC
PROPOSALS CONTAINED IN GOV/1821.

6. BRIEF DISCUSSION ENSUED ON THOSE PROPOSALS.
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PAKISTANI REP AGAIN STRESSED THAT TWO AREAS HAD NOT

BEEN TREATED FAIRLY IN 1973 REVISION; CLAIMED THAT SINCE MESA HAD INCREASED ITS AGENCY MEMBERSHIP BY THREE SEATS SINCE 1970, IT WAS NOT UNREASONABLE TO ASK FOR 3 NEW BOARD SEATS, BUT INDICATED HIS RECEPTIVITY TO ARGUMENTS AND COUNTER PROPOSALS IF THIS SEEN AS UNJUSTIFIED. US REP POINTED OUT THAT NUMBER OF NEW SEATS BEING SOUGHT WAS EXCESSIVE AND BASED ON STRANGE ARITHMETIC, AND ASKED WHETHER CO-SPONSORS' GOVERNMENTS HAD RATIFIED 1970 AMENDMENT. CO-SPONSORS CONFESSED IGNORANCE ON THIS POINT AND QUICKLY CHANGED GROUND, ARGUING THAT THEIR GOVERNMENTS HAD "ACQUIESCED IN AN INJUSTICE" AND THAT NUMBER OF SEATS BEING ASKED WAS AS MUCH TO REDRESS THAT INJUSTICE AS TO TAKE ACCOUNT OF NEW MEMBERS.

7. FRG REP AGAIN TOOK FLOOR TO SUGGEST THAT BOARD HAD NOT BEEN REFLECTING PURPOSE OF NPT, AND THAT THIS SHOULD BE IMPORTANT POINT IN CONSIDERING GOV/1821. MEHTA ONCE MORE SAVED SITUATION BY "CLARIFYING" THIS STATEMENT TO MEAN THAT FRG CONCERNED THAT ENLARGEMENT OF BOARD WOULD DILUTE ITS TWIN RESPONSIBILITIES IN FIELDS OF SAFEGUARDS AND TA.

8. DISCUSSION ENDED WITH EXCHANGE BETWEEN UK REP (SLATER) AND AMB. ADENIJI. SLATER POINTEDLY EXPRESSED HOPE THAT DISCUSSIONS WOULD NOT RESULT IN MEMBERSHIP ON BOARD OF MEMBERS WITH LITTLE OR NO CONTRIBUTION TO MAKE, OR IN CREATION OF SEATS WHICH WOULD REMAIN EMPTY, AS IN THE PAST. NIGERIAN REPLIED THAT CO-SPONSORS COULD NOT BE HELD RESPONSIBLE FOR BEHAVIOR OF OTHER SOVERIGN STATES IN THEIR AREAS.

9. MEETING ADJOURNED SINE DIE, WITH UNDERSTANDING THAT FURTHER MEETING(S) WOULD BE LEFT TO DISCRETION OF BOARD CHAIRMAN, BUT IN ANY CASE PROBABLY WOULD LIMITED OFFICIAL USE

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NOT BE CALLED UNTIL APRIL.

10. COMMENT. CO-SPONSORS ARE SENDING OUT SIGNALS THAT WHILE THEY INSIST ON LARGER BG REPRESENTATION, THE TERMS OF THAT ENLARGEMENT ARE NEGOTIABLE. AT THIS POINT, CONSENSUS AMONG THOSE OPPOSED TO REVISION IS THAT SOME FORM OF REVISION OF ARTICLE VI IS INEVITABLE, BUT THAT WE MAY BE ABLE TO WORK OUT PACKAGE WHICH WOULD RESULT IN MINIMAL INCREASE IN SEATS FOR THE TWO AREAS AND, PERHAPS, RESOLUTION OF SOUTH AFRICAN QUESTION. RESULTS OF THIS MEETING WERE ENCOURAGING. IT IS CLEAR, HOWEVER, THAT REAL NEGOTIATIONS ON AN ACCEPTABLE SETTLEMENT WILL NOT TAKE PLACE IN THIS

"INFORMAL FORUM" BUT BEHIND THE SCENES. WILL KEEP
DEPARTMENT INFORMED.STONE

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